

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE: AUTOMOTIVE PARTS
ANTITRUST LITIGATION

MASTER FILE NO. 12-md-02311

THIS DOCUMENT RELATES TO:
ALL ACTIONS

HON. MARIANNE O. BATTANI

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AGENDA FOR THE MARCH 13, 2013 STATUS CONFERENCE

The Court intends to discuss the following list of agenda items at the status conference:

I. WIRE HARNESS

1. Status of Service
 - A. Direct Cases Are Fully Served.
 - B. Auto Dealer Cases Are Fully Served.
 - C. End-Payor Cases Are Fully Served.
2. Defendants' Motions to Dismiss: Under Submission.
3. Depositions of Non-U.S. Citizens Expected to Be Released from U.S. Prisons. See Exhibit 1, Table of Release Dates of Incarcerated Defendants in Related Criminal Cases.

II. INSTRUMENT PANEL CLUSTERS

1. Status of Service
 - A. Direct Cases Are Fully Served.
 - B. Auto Dealer Cases Are Fully Served.
 - C. End-Payor Cases Are Fully Served.

2. Pleadings

- A. Consolidated Amended Complaints of Direct Purchasers, Auto Dealers and End-Payors: Filed January 15, 2013.
- B. Defendants' Deadline to Plead or Otherwise Respond: March 19 (March 16 based on 60 days after the filing of the Consolidated Amended Complaints, plus three days for ECF service pursuant to ECF Appendix R. 15(b) and Fed.R.Civ.P. 6(d)).
- 3. Depositions of Non-U.S. Citizens Expected to Be Released from U.S. Prisons. See Exhibit 1, Table of Release Dates of Incarcerated Defendants in Related Criminal Cases.

III. FUEL SENDERS (Auto Dealers and End-Payors Only)

1. Status of Service

- A. Auto Dealer Cases Are Fully Served.
- B. End-Payor Cases Are Fully Served.
- 2. Pleadings: Consolidated Amended Complaints of Auto Dealers and End-Payors are due to be filed April 15, 2013.

IV. HEATER CONTROL PANELS

1. Status of Service

- A. Direct Cases Are Fully Served.
- B. Auto Dealer Cases: Denso Corporation, Denso International America, Inc., Sumitomo Electric Industries, Ltd., Sumitomo Wiring Systems, Ltd., Sumitomo Electric Wiring Systems, Inc., Sumitomo Electric Wintec America, Inc., Sumitomo Wiring Systems (U.S.A.) Inc. and K&S Wiring Systems, Inc. are fully served. Automobile Dealer Plaintiffs are in the process of effecting service on newly added Tokai Rika Defendants and Alps Defendants.
- C. End-Payor Cases: The DENSO and Sumitomo Defendants are fully served. The End-Payor Plaintiffs are in the process of effecting service on the newly-added Tokai Rika and Alps Defendants.

2. Pleadings

- A. Consolidated Amended Complaints of Direct Purchasers, Auto Dealers and End-Payors: Filed February 28, 2013.
- B. Defendants' Deadline to Plead or Otherwise Respond: April 29, 2013.

3. Deposition of Non-U.S. Citizen Expected to Be Released from U.S. Prison. *See Exhibit 1, Table of Release Dates of Incarcerated Defendants in Related Criminal Cases.*

V. BEARINGS

1. Status of Service
 - A. Direct Cases Are Fully Served.
 - B. Auto Dealer Cases Are Fully Served.
 - C. End-Payor Cases Are Fully Served.
2. Case Management Orders
 - A. Amended Case Management Order No. 1: Entered January 15, 2013.
 - B. Discovery Plan: Disputed Plan Provisions Submitted in Joint Submission of February 15, 2013 and Under Submission
 - C. Expert Stipulation: Agreed Stipulation Submitted in Joint Submission of February 15, 2013 and Under Submission
 - D. Protective Order: Stipulated Order Submitted in Joint Submission of February 15, 2013 and Under Submission
 - E. ESI Stipulation: Agreed Stipulation Submitted in Joint Submission of February 15, 2013 and Under Submission

VI. OCCUPANT SAFETY SYSTEMS

1. Status of Service
 - A. Direct Cases Are Fully Served.
 - B. Auto Dealer Cases: All Defendants have been served, except Takata Corp. and TRW Deutschland Holding GmbH. Service consistent with Hague Convention requirements is in process for these two defendants.
 - C. End-Payor Cases: All Defendants have been served except Defendants Tokai Rika Co., Ltd., TRW Deutschland Holding GmbH, and Takata Corp. Service consistent with Hague convention requirements is in process for these three defendants.

2. Case Management Orders
 - A. Amended Case Management Order No. 1: Entered January 15, 2013.
 - B. Discovery Plan: Disputed Plan Provisions Submitted in Joint Submission of February 15, 2013 and Under Submission
 - C. Expert Stipulation: Agreed Stipulation Submitted in Joint Submission of February 15, 2013 and Under Submission
 - D. Protective Order: Stipulated Order Submitted in Joint Submission of February 15, 2013 and Under Submission
 - E. ESI Stipulation: Agreed Stipulation Submitted in Joint Submission of February 15, 2013 and Under Submission

VII. NEW CASES

1. Alternators
 - A. *Adams et al. v. Denso Corp., et al.*, Case No. 2:13-cv-10800-NGE-MKM (E.D. Mich.), filed February 27, 2013 (End-Payor Action).
 - B. Automobile Dealer Plaintiffs also plan to file a complaint concerning this part.
2. Anti-Vibration Rubber Parts
 - A. *Barron et al. v. Yamashita Rubber Co., Ltd., et al.*, Case 2:13-cv-10801-SJM-DRG (E.D. Mich.), filed February 27, 2013 (End-Payor Action).
 - B. Automobile Dealer Plaintiffs also plan to file a complaint concerning this part.
 - C. Deposition of Non-U.S. Citizen Expected to Be Released from U.S. Prison. See Exhibit 1, Table of Release Dates of Incarcerated Defendants in Related Criminal Cases.
3. Windshield Wipers
 - A. *Adams et al. v. Denso Corp., et al.*, Case No. 2:13-cv-10805-DPH-DRG (E.D. Mich.), filed February 27, 2013 (End-Payor Action).
 - B. Automobile Dealer Plaintiffs also plan to file a complaint concerning this part.
4. Radiators
 - A. *Adams et al. v. Calsonic Kansei Corporation, et al.*, Case No. 2:13-cv-10803-SJM-LJM (E.D. Mich.), filed February 27, 2013 (End-Payor Action).

- B. Automobile Dealer Plaintiffs also plan to file a complaint concerning this part.
- 5. Starters
 - A. *Adams et al. v. Denso Corp., et al.*, Case No. 2:13-cv-10804-MOB-DRG (E.D. Mich.), filed February 27, 2013 (End-Payor Action).
 - B. Automobile Dealer Plaintiffs also plan to file a complaint concerning this part.
- 6. Other Potential New Cases

VIII. BRIEFING PROCEDURES:

- 1. Argument and authority cited must be contained in the body of the brief; summary of authority supporting an argument may be included in the appendix.
- 2. Challenges to state antitrust, consumer protection, and unjust enrichment claims must be organized and briefed state by state, not issue by issue.
- 3. Page Limit Extensions

IX. DATE FOR NEXT STATUS CONFERENCE:

- 1. Direct, Auto Dealer and End-Payor Plaintiffs propose a mutually convenient time in June 2013 for all parts/all parties.
- 2. Wire Harness Defendants propose a mutually convenient date in Sept. or Oct. 2013 for the next Wire Harness status conference.
- 3. Instrument Panel Cluster ("IPC") Defendants propose that the next IPC status conference be held immediately before the oral argument (to be scheduled) on their motions to dismiss (which will be fully briefed as of early July 2013).
- 4. Heater Control Panel ("HCP") Defendants propose a mutually convenient date in Sept. or Oct. 2013 for the next HCP status conference.
- 5. Fuel Sender Defendants ("FS") propose a mutually convenient date for the next FS status conference no earlier than Oct. 2013, following the completion of their motion to dismiss briefing in late September 2013.
- 6. Occupant Safety Systems ("OSS") Defendants propose a mutually convenient time and date for such Parties and Products as the Court deems necessary, to be set following the filing of the motions to dismiss in the OSS cases.
- 7. Bearings Defendants propose a mutually convenient time and date for such Parties and Products as the Court deems necessary, to be set following the filing of the motions to dismiss in the Bearings cases.

X. ELECTRONIC CASE MANAGEMENT PROTOCOL ORDER

XI. OTHER MATTERS

Any party interested in any part should appear.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE
DATE: March 8, 2013